

MORRIS, JAMES, HITCHENS & WILLIAMS LLP

222 Delaware Avenue, 10th Floor
Wilmington, Delaware 19801-1621
(302) 888-6800
Facsimile (302) 571-1750
www.morrisjames.com

Edward M. McNally
(302) 888-6880
emcnally@morrisjames.com

Mailing Address
P.O. Box 2306
Wilmington, DE 19899-2306

January 6, 2006

VIA CM/ECF AND HAND DELIVERY

The Honorable Gregory M. Sleet
United States District Court
844 North King Street
Lock Box 19
Wilmington, DE 19801

RE: Lieberman v. State of Delaware, et al.
U.S.D.C., C.A. No. 96-523-SLR

Dear Judge Sleet:

In accordance with the terms of the Scheduling Order, Plaintiff Bernice Lieberman delivered her draft pre-trial order on December 7, 2005.

On January 5, 2006, the State provided its comments to the pre-trial order. A colleague of mine has also been working diligently with the State to resolve differences in the jury instructions.

Unfortunately, my 84-year-old mother is now in the emergency room at Wilmington General Hospital and may need a fairly immediate operation. Therefore, I am distracted.

On behalf of the State, Marc Niedzielski has kindly agreed to an extension until next Wednesday, January 11, 2006, to file the pre-trial order and jury instructions with the Court. The pre-trial conference itself is not until January 31, 2006.

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Under these circumstances, I hope that the Court will consider entering the attached Order extending the date to file a pre-trial order and jury instructions.

Respectfully Submitted,



Edward M. McNally (#614)

EMM:bes
Attachment

cc: Clerk of the District Court (via CM/ECF)
Marc P. Niedzielski, Esquire (via CM/ECF)